

Xavier Adams,  
Plaintiff,

V.

Tiffany Ade et al.,  
Defendants.

State of Oklahoma)

Hughes County )

Case No. CIV-19-41-JHP-SPS

**FILED**

OCT - 4 2019

PATRICK KEANEY  
Clerk, U.S. District Court

By \_\_\_\_\_  
Deputy Clerk

SS: AFFIDAVIT

Come Now the affiant Xavier Adams  
ODOC#641545 Solemnly swears to the following:  
1.) I am of a legal age and of sound mind.  
I am a inmate in the custody of ODoc  
housed at Davis Correctional Facility, in  
Holdenville, Oklahoma. I have been housed at  
Davis Correctional Facility since April 13, 2016.  
I am a paralegal, whom received certification  
from Blackstone Career Institute.  
2.) I assert that I submitted a Inmate Request  
to the Law Library Supervisor Ms. Patterson on  
8/7/19 for the purchase of three (3) copies

of State's Policy entitled "Inmate Grievance Process." Despite the fact of her knowledge of my pending court imposed deadline, the law library Supervisor did not make those copies available to me until 9/4/19, by way of a substitute law librarian. I refused the copies, because I no longer needed them for my 8/21/19 deadline. Ms. Patterson brought those copies to me on 9/6/19 and I refused them again but was still charged for them on 9/10/19. See Exhibit 1 & 2.

3.) I assert that I have submitted multiple Inmate Requests to receive copy services/have duplicates made since 8/23/19 and consecutive weeks after and have not received copy services for well over a month now. See Exhibits 3 & 4 Inmate Requests 8/23/19 & 9/9/19

4.) I assert that I submitted several Inmate Requests to procure access to the Legal Resource Center/computer and was denied for two weeks in a row. The week of September 3-6, 2019 and the week of September 9-13, 2019. See Exhibits 5-7, Inmate Requests 8/26/19, 9/2/19 & 9/2/19

5.) I assert that on the dates of July 15, 2019 & Aug. 7, 2019 I submitted Inmate Requests to the law library Supervisor to check out The Federal Rules of Civil Procedures for Oklahoma book, but was denied in some form or fashion. See Exhibits 8 & 9, Inmate Request 7/15/19 & 8/7/19

6.) I assert that within the legal resource center/computer, no list of local court

Civil Rules Exist. If an inmate has no knowledge of the LWR(s) he/she won't be able to learn of them without utilizing humongous amounts of effort and time, that could possibly end in little to no progress. Which is the reasons I requested the checking-out of the Fed. R. Civ. Proc., of Oklahoma.

7.) I assert that on Aug. 5, 2019 I submitted a Inmate Request to purchase three (3) copies of Request to Staff #2018-0001. I needed those copies to meet my deadline of Aug. 21, 2019 and be in compliance with Local Civil Court Rule 5.2. Those requested copies weren't delivered until over a month later. Well past my deadline, and not in accordance with State's mandated Policy 030115 IV(D)(5) "The law library supervisor will ensure the photocopies are available within 48 hours (excluding weekends and holidays) after the documents were submitted for photocopying." See Exhibits 10-12 Inmate Request 8/5/19, Legal Disbursement 9/13/19 and Access to Courts/Law Library Policy 030115 IV(D)(5).

These are just a few examples of retaliation for utilizing the grievance process and filing a lawsuit against Davis Correctional Facility prison officials.

The Affiant sayeth nothing further.

# EXHIBIT 1

09/10/2019 Receipt for  
3X copies of OP-090124

## DAVIS CORRECTIONAL FACILITY

**Inmate Accounting Transaction Receipt**

Today's Date: 09/10/2019 1:42:18PM

ADAMS, XAVIER D

E/EB/203/A

Agency # 641545

Perm # 2009810

Transaction Date: 09/10/2019 12:57  
Transaction Type: CR - COPIES  
Amount: \$ 17.25  
Check Number:  
Receipt Number: 14567773  
Adding Officer: ACCOUNTING STAFF  
Card #:  
Beginning Balance: \$ 342.65  
Ending Balance: \$ 325.40

Deposit From/Withdrawal To: COPIES - OP-1090124 X3  
Document Locator Number:  
Case/Order Number:  
Memo:  
Batch Verifying Officer: ACCOUNTING STAFF  
Batch Number:  
Address: .

**Cost Recovery Collected:**

\$17.25 CR - COPIES

**To Cost Recovery:**

\$0.00 CR - COPIES

# EXHIBIT 2

Inmate Request Relevant  
to Request made on 08/7/19

RECEIVED

## Inmate Request

SEP 12 2019

Issues relating to any of the following areas must be submitted to the Law Library on a "Request to Staff" form: <sup>F.Y.</sup>Discrimination, Classification, Complaint Against Staff, Condition of Confinement, Disciplinary Process, Legal, Medical, Property, Records/Sentence Administration, and Religion.

This form is not utilized for exhaustion of administrative remedies; you must use the "Inmate/Offender Grievance Process Request to Staff" for those issues.

TO: Pat. Law Library Supv. Facility/Unit: D.C. 3F Date: 9/6/19  
(Name/Title of Staff Member)

SUBJECT: State completely, but briefly, the request on which you desire assistance. This statement must be specific as to the request, dates, place, personnel involved. Only one request or incident per "Inmate Request" is allowed. The requests addressed on this form are for routine administrative matters such as request for wake-up call, replacement clothing, phone calls, scheduling special/legal visit, hygiene items, etc. Your failure to specifically state your request may result in this Inmate Request being returned denied.

I'm requesting a copy of the inmate Request I submit-  
ted on Aug. 7, 2019 request three copies of Policy OP-090134  
and one copy of Policy OP-060135. I did not receive  
a copy of it when you sent the batch of request back  
from early last -> flip

Name: Adams Xavier DOC # 641345 Unit & Cell # E.C. 118

Signature: Xavier Adams (Print) Work Assignment: n/a

DO NOT WRITE BELOW THIS LINE

## DISPOSITION:

A copy of your I.R. is in prison mail to you showing  
your request copies on 9/9/19

Staff Member

Date

9/12/19DOC 030101A  
(R 4/19)

EXHIBIT 3

Inmate Request 8/23/19

EXHIBIT 4

Inmate Request 9/9/19



## Inmate Request

RECEIVED

SEP 12 2019

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TO: Put/Law Library Supv. Facility/Unit: D.C.F. Date: 8/23/19  
(Name/Title of Staff Member)

SUBJECT: State completely, but briefly, the request on which you desire assistance. This statement must be specific as to the request, dates, place, personnel involved. Only one request or incident per "Inmate Request" is allowed. The requests addressed on this form are for routine administrative matters such as request for wake-up call, replacement clothing, phone calls, scheduling special/legal visit, hygiene items, etc. Your failure to specifically state your request may result in this Inmate Request being returned denied.

Please provide copy services.

Name: Adams, Xavier DOC # 641545 Unit & Cell # E.C. 118  
(Print)  
Signature: Xavier Adams Work Assignment: N/A

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

will pick up

Staff Member

Date

9/12/19

DOC 030101A  
(R 4/19)

RECEIVED

SEP 12 2019

## Inmate Request

BY: \_\_\_\_\_

Issues relating to any of the following areas must be submitted to the Law Library on a "Request to Staff" form: Discrimination, Classification, Complaint Against Staff, Condition of Confinement, Disciplinary Process, Legal, Medical, Property, Records/Sentence Administration, and Religion.

This form is not utilized for exhaustion of administrative remedies; you must use the "Inmate/Offender Grievance Process Request to Staff" for those issues.

TO: Pat/Law Library Supervisor Facility/Unit: D.C.E. Date: 9/9/19  
(Name/Title of Staff Member)

SUBJECT: State completely, but briefly, the request on which you desire assistance. This statement must be specific as to the request, dates, place, personnel involved. Only one request or incident per "Inmate Request" is allowed. The requests addressed on this form are for routine administrative matters such as request for wake-up call, replacement clothing, phone calls, scheduling special/legal visit, hygiene items, etc. Your failure to specifically state your request may result in this Inmate Request being returned denied.

Please provide copy services.

Name: Adams, Xavier DOC # 641543 Unit & Cell # E-B-203  
(Print)

Signature: Xavier Adams Work Assignment: N/A

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

will pick up for copies Duplicate

Staff Member

Date

9/12/19

DOC 030101A  
(R 4/19)

EXHIBIT-5

Inmate Request 8/26/19

EXHIBIT-6

Inmate Request 9/2/19

EXHIBIT-7

Inmate Request 9/2/19

RECEIVED

AUG 27 2019

## Inmate Request

BY: \_\_\_\_\_

Issues relating to any of the following areas must be submitted to the Law Library on a "Request to Staff" form: Discrimination, Classification, Complaint Against Staff, Condition of Confinement, Disciplinary Process, Legal, Medical, Property, Records/Sentence Administration, and Religion.

This form is not utilized for exhaustion of administrative remedies; you must use the "Inmate/Offender Grievance Process Request to Staff" for those issues.

TO: Pat Law Library Supv. Facility/Unit: D.C.F. Date: 8/26/19  
(Name/Title of Staff Member)

SUBJECT: State completely, but briefly, the request on which you desire assistance. This statement must be specific as to the request, dates, place, personnel involved. Only one request or incident per "Inmate Request" is allowed. The requests addressed on this form are for routine administrative matters such as request for wake-up call, replacement clothing, phone calls, scheduling special/legal visit, hygiene items, etc. Your failure to specifically state your request may result in this Inmate Request being returned denied.

Please grant access to the legal resource center.

Name: Adams, Xavier DOC # 641545 Unit & Cell # E.C. 118  
(Print)

Signature: Xavier Adams Work Assignment: N/A

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

on Access list

Staff Member

Date

9/2/19

DOC 030101A  
(R 4/19)

SEP 12 2019

## Inmate Request

BY: \_\_\_\_\_

Issues relating to any of the following areas must be submitted to the Law Library on a "Request to Staff" form: Discrimination, Classification, Complaint Against Staff, Condition of Confinement, Disciplinary Process, Legal, Medical, Property, Records/Sentence Administration, and Religion.

This form is not utilized for exhaustion of administrative remedies; you must use the "Inmate/Offender Grievance Process Request to Staff" for those issues.

TO: Rot/Law Library Supv. Facility/Unit: D.C.F. Date: 9/2/19  
(Name/Title of Staff Member)

SUBJECT: State completely, but briefly, the request on which you desire assistance. This statement must be specific as to the request, dates, place, personnel involved. Only one request or incident per "Inmate Request" is allowed. The requests addressed on this form are for routine administrative matters such as request for wake-up call, replacement clothing, phone calls, scheduling special/legal visit, hygiene items, etc. Your failure to specifically state your request may result in this Inmate Request being returned denied.

Please grant me access to the Legal Resource  
Center.

Name: Adams Xavier DOC # 641545 Unit & Cell # E.C. 118  
(Print)

Signature: Xavier Adams Work Assignment: n/a

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

Duplicate

[Signature]  
Staff Member

Date 9/12/19

DOC 030101A  
(R 4/19)

RECEIVED

SEP 12 2019

## Inmate Request

BY: \_\_\_\_\_

Issues relating to any of the following areas must be submitted to the Law Library on a "Request to Staff" form: Discrimination, Classification, Complaint Against Staff, Condition of Confinement, Disciplinary Process, Legal, Medical, Property, Records/Sentence Administration, and Religion.

This form is not utilized for exhaustion of administrative remedies; you must use the "Inmate/Offender Grievance Process Request to Staff" for those issues.

TO: Pat. / Law Library Supv. Facility/Unit: D.C.F. Date: 9/2/19  
(Name/Title of Staff Member)

SUBJECT: State completely, but briefly, the request on which you desire assistance. This statement must be specific as to the request, dates, place, personnel involved. Only one request or incident per "Inmate Request" is allowed. The requests addressed on this form are for routine administrative matters such as request for wake-up call, replacement clothing, phone calls, scheduling special/legal visit, hygiene items, etc. Your failure to specifically state your request may result in this Inmate Request being returned denied.

Please confirm the following statement: all inmates  
whom want access to Law Library/Court must submit  
a Inmate Request prior to Wednesday of that week to  
obtain access the next week. Meaning the list are always  
made 2 week in → flip

Name: Adams Xavier DOC # 641543 Unit & Cell # E.C. 118  
(Print)

Signature: Xavier Adams Work Assignment: n/a

DO NOT WRITE BELOW THIS LINE

## DISPOSITION:

Lists are made for a week in advance — after the  
request is received by Law Lib

Staff Member

Date

9/12/19DOC 030101A  
(R 4/19)

EXHIBIT - 8

Inmate Request - 7/15/19

EXHIBIT - 9

Inmate Request - 8/7/19

## Inmate Request

Issues relating to any of the following areas must be submitted to the Law Library on a "Request to Staff" form: Discrimination, Classification, Complaint Against Staff, Condition of Confinement, Disciplinary Process, Legal, Medical, Property, Records/Sentence Administration, and Religion.

This form is not utilized for exhaustion of administrative remedies; you must use the "Inmate/Offender Grievance Process Request to Staff" for those issues.

TO: Rat/Law Library Supv Facility/Unit: R.C.F. Date: 7/15/19  
(Name/Title of Staff Member)

SUBJECT: State completely, but briefly, the request on which you desire assistance. This statement must be specific as to the request, dates, place, personnel involved. Only one request or incident per "Inmate Request" is allowed. The requests addressed on this form are for routine administrative matters such as request for wake-up call, replacement clothing, phone calls, scheduling special/legal visit, hygiene items, etc. Your failure to specifically state your request may result in this Inmate Request being returned denied.

mom, I need to checkout the Federal Rules of Civil  
Procedures for Oklahoma.

Name: Adams, Xavier DOC # 641345 Unit & Cell # E-C-118  
(Print)

Signature: Xavier Adams Work Assignment: N/A

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

Which district?

AUG 05 2019

Staff Member

Date

DOC 030101A  
(R 4/19)



RECEIVED

AUG 15 2019

## Inmate Request

 BY: \_\_\_\_\_  
 Issues relating to any of the following areas must be submitted to the Law Library on a "Request to Staff" form: Discrimination, Classification, Complaint Against Staff, Condition of Confinement, Disciplinary Process, Legal, Medical, Property, Records/Sentence Administration, and Religion.

This form is not utilized for exhaustion of administrative remedies; you must use the "Inmate/Offender Grievance Process Request to Staff" for those issues.

 TO: Ext. Law Library Supv. Facility/Unit: N.E.F. Date: 8/7/19  
 (Name/Title of Staff Member)

SUBJECT: State completely, but briefly, the request on which you desire assistance. This statement must be specific as to the request, dates, place, personnel involved. Only one request or incident per "Inmate Request" is allowed. The requests addressed on this form are for routine administrative matters such as request for wake-up call, replacement clothing, phone calls, scheduling special/legal visit, hygiene items, etc. Your failure to specifically state your request may result in this Inmate Request being returned denied.

Mam, I need to check out The Federal Rules of Civil  
Procedures for Oklahoma. What book covers all  
three Oklahoma Federal districts. Which are Northern  
(error) Northern, Eastern and Western districts.  
Please provide me -> Flip

 Name: Adams, Xavier DOC # 641545 Unit & Cell # E.C. 112  
 (Print)

 Signature: Xavier Adams Work Assignment: n/a

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

You have LRC access. The LRC are on the computer  
for your access. The LRC is very mindful of your  
deadline time.

Staff Member

Date

 DOC 030101A  
 (R 4/19)

at your earliest convenience. I am on a deadline so  
be mindful of that.

EXHIBIT - 10

Inmate Request - 8/5/19

EXHIBIT - 11

Legal Disbursement - 9/13/19

EXHIBIT - 12

Access to Courts/Law Library Policy 030115 IV(D)(5)

RECEIVED

AUG 06 2019

BY: \_\_\_\_\_

## Inmate Request

Issues relating to any of the following areas must be submitted to the Law Library on a "Request to Staff" form: Discrimination, Classification, Complaint Against Staff, Condition of Confinement, Disciplinary Process, Legal, Medical, Property, Records/Sentence Administration, and Religion.

This form is not utilized for exhaustion of administrative remedies; you must use the "Inmate/Offender Grievance Process Request to Staff" for those issues.

TO: Pat Law Library Sup Facility/Unit: D.C.F. Date: 8/5/19  
(Name/Title of Staff Member)

SUBJECT: State completely, but briefly, the request on which you desire assistance. This statement must be specific as to the request, dates, place, personnel involved. Only one request or incident per "Inmate Request" is allowed. The requests addressed on this form are for routine administrative matters such as request for wake-up call, replacement clothing, phone calls, scheduling special/legal visit, hygiene items, etc. Your failure to specifically state your request may result in this Inmate Request being returned denied.

I'm requesting the purchase of three copies of R.T.D.  
12018-0001 addressed to D. Jones dated 12-28-17. I want  
the R.T.D. with the longest response. It in my  
R.T.D. log.  
Thank you!

Name: Adams, Xavier DOC # 641545 Unit & Cell # F-0-102 EB-203  
(Print)

Signature: Xavier Adams Work Assignment: N/A

DO NOT WRITE BELOW THIS LINE

## DISPOSITION:

RTS 2018-0001 That is on file will be sent to you at \$25 a page.

Pat  
Staff Member

9-13-19  
Date

DOC 030101A  
(R 4/19)

*charge*

**INMATE'S REQUEST FOR DISBURSEMENT OF LEGAL COSTS**

I, Adams, 6041545, request the following for the  
(Print Name) (DOC Number)  
purpose of securing legal redress per OP-030115:

\_\_\_\_\_ copies of the attached document, ☐ Legal Documents ☐ Legal Resource Center

*RTS Copies*

(Description)

1 copies of each of the \_\_\_\_\_ originals.

Total copies requested \_\_\_\_\_ x 25¢ each page: \_\_\_\_\_

\_\_\_\_\_ #10 plain white envelope(s), no return address, at 5¢ each \_\_\_\_\_

\_\_\_\_\_ Manila envelope(s), at 10¢ each \_\_\_\_\_

\_\_\_\_\_ First class postage \_\_\_\_\_

\_\_\_\_\_ Certified services to document initial filing in court \_\_\_\_\_

\_\_\_\_\_ Plain paper or blank forms (8 1/2 X 11 only), at 5¢ each \_\_\_\_\_

\_\_\_\_\_ Printing from computers at 25¢ per page \_\_\_\_\_

\_\_\_\_\_ Notary service, at \$1.00 per notarization \_\_\_\_\_

**DISBURSEMENT TOTAL - \$** \_\_\_\_\_

I understand that in accordance with OP-030115, I will be charged for the above amounts and that this is also a request for disbursement of funds from my trust fund draw account. If I do not have enough funds to cover these costs related to court-imposed or rule-imposed deadlines, the amount will be collected as soon as funds become available.

Inmate's Signature/Date/Time

Law Library Supervisor's Signature/Date/Time

Date the requested services/items were provided: \_\_\_\_\_

Date the requested services/times were rejected and, if applicable, material returned to the requesting inmate. If rejected, state why for each service/item: \_\_\_\_\_

Law Library Supervisor Signature

Date/Time

Trust Fund Officer: \$ \_\_\_\_\_

Withdrawn from trust fund draw account

\$ \_\_\_\_\_

Balance due, to be collected as soon as funds become available in trust fund draw account (account debited)

Signature of Trust Fund Officer

Date/Time

Original: Trust Fund Officer  
1st Copy: Inmate  
2nd Copy: Law Library Files

DOC 030115A (R 8/17)

*9/13/15*

funds;

- f. In excess of the judicial requirements for the number of required sets for distribution (Examples: Requesting ten copies of a pleading when there are only three defendants; the attaching of exhibits to a pleading that does not allow the attachment of exhibits); or
  - g. Duplicate material is already available to the judiciary and opposing counsel (Example: Copies to both the defendant and to his or her attorney).
5. The law library supervisor will ensure the photocopies are available within 48 hours (excluding weekends and holidays) after the documents were submitted for photocopying. Staff will only view material for photocopying to the extent necessary to determine whether appropriate for legal photocopying and to ensure legible copying by the machine.
  6. Photocopying services will be provided by the law library supervisor.
  7. At no time is an offender to have access to a copier/printer/scanner without permission from the law library supervisor.

E. Postage/Envelopes

1. To assist offenders in making confidential contact with the courts and their attorneys of record relating to conditions of confinement or post conviction relief, postage/envelopes to the courts and the offender's attorney of record will be provided by the facility at cost to the offender.
  - a. An "Offender's Request for Disbursement of Legal Costs" form will be completed for all requests for postage/envelopes from the law library. The offender may purchase the postage or envelopes from the facility canteen.
  - b. For those offenders without funds available at the time of the request, the costs will be collected from the offender as soon as funds become available in his or her trust fund.
2. Certified mail services will be available to offenders, at cost to the offender, to document the first delivery of the complaint/petition/petition in error to the court clerk only, at both district and appellate level.
  - a. An "Offender's Request for Disbursement of Legal Costs" form will be completed for all requests for certified mail.

This is Subscribed and Sworn to on 1 day  
of October, 2019 by, Xavier Adams

/s/ Xavier Adams



/s/ Carla Hoover  
Notary Public

My Commission Expires: 4-15-2023  
My Commission number: 11003473